

APR 23 2013

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON GRAND JURY 2012
APRIL 23, 2013 SESSION

UNITED STATES OF AMERICA

v.

CRIMINAL NO.

2:13-00008
18 U.S.C. § 2251(a)
18 U.S.C. § 2251(e)
18 U.S.C. § 2252A(a) (1)
18 U.S.C. § 2252A(b) (1)
18 U.S.C. § 2252A(a) (2)
18 U.S.C. § 2261A(1)
18 U.S.C. § 2261(b)
18 U.S.C. § 2252A(a) (5) (B)
18 U.S.C. § 2252A(b) (2)

S U P E R S E D I N G
I N D I C T M E N T

The Grand Jury Charges:

COUNT ONE

From in or about December 2010, to in or about March 2011, at or near Ripley, Jackson County, West Virginia, within the Southern District of West Virginia, and elsewhere, defendant GEORGE MICHAEL PUSKAS II did knowingly employ, use, persuade, induce, entice, and coerce a minor, that is, K.S., to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT TWO

On or about January 10, 2011, at or near Ripley, Jackson County, West Virginia, within the Southern District of West Virginia, and elsewhere, defendant GEORGE MICHAEL PUSKAS II did knowingly transport and ship child pornography, as defined in 18 U.S.C. § 2256(8)(A), in and affecting interstate commerce by any means, including by computer.

In violation of Title 18, United States Code, Sections 2252A(a)(1) and 2252A(b)(1).

COUNT THREE

On or about January 27, 2011, at or near Ripley, Jackson County, West Virginia, and within the Southern District of West Virginia, and elsewhere, defendant GEORGE MICHAEL PUSKAS II did knowingly receive child pornography, as defined in 18 U.S.C. § 2256(8)(A), that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, using a means and facility of interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 2252A(a)(2) and 2252A(b)(1).

COUNT FOUR

On or about September 7, 2011, between Ripley, Jackson County, West Virginia, within the Southern District of West Virginia, and Virginia, defendant GEORGE MICHAEL PUSKAS II, did knowingly travel in interstate commerce with the intent to kill, injure, harass, and intimidate a person known to the Grand Jury, and in the course of, and as a result of such travel, placed that person in reasonable fear of death and serious bodily injury and caused substantial emotional distress to that person.

In violation of Title 18, United States Code, Sections 2261A(1) and 2261(b).

COUNT FIVE

Between September 13, 2011, and September 14, 2011, between Ripley, Jackson County, West Virginia, within the Southern District of West Virginia, and Virginia, defendant GEORGE MICHAEL PUSKAS II, did knowingly travel in interstate commerce with the intent to kill, injure, harass, and intimidate a person known to the Grand Jury, and in the course of, and as a result of such travel, placed that person in reasonable fear of death and serious bodily injury and caused substantial emotional distress to that person.

In violation of Title 18, United States Code, Sections 2261A(1) and 2261(b).

COUNT SIX

On or about April 6, 2012, at or near Ripley, Jackson County, West Virginia, and within the Southern District of West Virginia, and elsewhere, defendant GEORGE MICHAEL PUSKAS II did knowingly possess material, that is, computer graphic image files, containing hundreds of images and videos of child pornography, as defined in 18 U.S.C. § 2256(8)(A), that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

FORFEITURE

In accordance with Section 2253(a) of Title 18 of the United States Code, and Rule 32.2(a) of the Federal Rules of Criminal Procedure, and premised on the conviction of defendant GEORGE MICHAEL PUSKAS II of a violation of 18 U.S.C. §§ 2251 et seq., as set forth in this superseding indictment, the defendant shall forfeit to the United States any visual depictions and any books, magazines, periodicals, films, videotapes, and other matter which contains such visual depictions, which were produced, transported, mailed, shipped, or received in connection with the violations set forth in this superseding indictment, any real and personal property constituting or traceable to gross profits or other proceeds obtained from the violation set forth in this superseding indictment, and any real and personal property used or intended to be used to commit or to promote the commission of the violation set forth in this superseding indictment, including, but not limited to:

- one Toshiba, 80 gigabyte hard drive, model MK8046GSX, serial number Y7UTT0KET;
- one PNY, 4 gigabyte, USB flash drive;
- one Apple iPod Touch, model A1288, serial number 1C019B0D75J;
- one HTC Inspire, cellular telephone, IMEI number 357814046923598;

- one AT&T SIM card, ICCID 89014103233502461286; and
- one Apple iPhone, cellular telephone, 3GS A13038GB, serial number 850933KGED6, IMEI number 012263009668294.

R. BOOTH GOODWIN II
United States Attorney

By: 
LISA G. JOHNSTON
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